

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_  
**v.** : **DATE FILED:** \_\_\_\_\_  
**DONALD JOSEPH RICHMOND** : **VIOLATIONS:** **18 U.S.C. § 1344**  
 : **(Bank Fraud – 10 Counts)**  
 : **Notice of Forfeiture**

**INFORMATION**

**COUNTS ONE AND TWO**

THE UNITED STATES ATTORNEY CHARGES THAT:

1. At all times material to this information, Commerce Bank, N.A. (Commerce Bank) was a financial institution, as defined by Title 18, United States Code, Section 20, whose deposits were insured by the Federal Deposit Insurance Corporation.

2. From in or about August 2000, to in or about February 2002, in the Eastern District of Pennsylvania, and elsewhere, defendant

**DONALD JOSEPH RICHMOND**

knowingly executed and attempted to execute a scheme to defraud a financial institution, and to obtain monies owned by and under the care, custody, and control of Commerce Bank by means of false and fraudulent pretenses, representations, and promises.

**THE SCHEME**

The following were part of the scheme:

3. Defendant DONALD JOSEPH RICHMOND, an attorney, received checks, the

funds for which belonged to his client, known to the government as L.C., Jr., for whom DONALD JOSEPH RICHMOND held the funds in trust, deposited these checks bearing forged endorsements on the back into a Commerce Bank account, and fraudulently withdrew money from the account, converting these funds to his own use.

4. On or about the dates listed below, defendant DONALD JOSEPH RICHMOND deposited, and caused to be deposited, into Commerce Bank account number 361058811, the following checks, which checks had been fraudulently endorsed and from which checks DONALD JOSEPH RICHMOND had no right to receive and retain these funds:

<u>Count</u>	<u>Deposit Date</u>	<u>Check Number</u>	<u>Check Amount</u>	<u>Bank of Deposit</u>	<u>Payee</u>
1	10/24/00	1008	\$6,000.00	Commerce Bank	L.C., Jr.
2	5/30/01	1042	\$100,00.00	Commerce Bank	L.C., Jr.

5. After depositing these checks, defendant DONALD JOSEPH RICHMOND withheld payments from his client, L.C., Jr., which payments were lawfully due and owing to L.C., Jr., and withdrew funds on deposit with Commerce Bank from the fraudulently converted, stolen checks identified above.

All in violation of Title 18, United States Code, Section 1344.

### COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. At all times material to this information, Commerce Bank, N.A. (Commerce Bank) was a financial institution, as defined by Title 18, United States Code, Section 20, whose deposits were insured by the Federal Deposit Insurance Corporation.

2. From sometime in 1998, to in or about December 2001, in the Eastern District of Pennsylvania, and elsewhere, defendant

DONALD JOSEPH RICHMOND

knowingly executed and attempted to execute a scheme to defraud a financial institution, and to obtain monies owned by and under the care, custody, and control of Commerce Bank by means of false and fraudulent pretenses, representations, and promises.

### THE SCHEME

The following were part of the scheme:

3. Defendant DONALD JOSEPH RICHMOND, an attorney, received a check, the funds for which belonged to his client, known to the government as K.T., for whom DONALD JOSEPH RICHMOND held the funds in trust, deposited this check bearing a forged endorsement on the back into a Commerce Bank account, and fraudulently withdrew money from the account based on the stolen check.

4. On or about November 8, 2001, defendant DONALD JOSEPH RICHMOND deposited, and caused to be deposited, into Commerce Bank account number 361058811, a check in the amount of \$2,500, which check had been fraudulently endorsed and from which check DONALD JOSEPH RICHMOND had no right to receive and retain these funds.

5. After depositing the check, defendant DONALD JOSEPH RICHMOND, withheld payment from his client K.T., which payment was lawfully due and owing to K.T., and withdrew funds on deposit with Commerce Bank from the fraudulently converted, stolen check.

In violation of Title 18, United States Code, Section 1344.

#### COUNTS FOUR THROUGH TEN

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. At all times material to this information, Commerce Bank, N.A. (Commerce Bank) and CoreStates Bank, N.A., now doing business as First Union Bank, N.A. (CoreStates Bank) were financial institutions, as defined by Title 18, United States Code, Section 20, whose deposits were insured by the Federal Deposit Insurance Corporation.

2. From sometime in 1996, to in or about July 2001, in the Eastern District of Pennsylvania, and elsewhere, defendant

DONALD JOSEPH RICHMOND

knowingly executed and attempted to execute a scheme to defraud a financial institution, and to obtain monies owned by and under the care, custody, and control of Commerce Bank and CoreStates Bank by means of false and fraudulent pretenses, representations, and promises.

#### THE SCHEME

The following were part of the scheme:

3. Defendant DONALD JOSEPH RICHMOND, an attorney, received checks, the funds for which belonged to his clients, known to the government as J.I. and J.P., for whom DONALD JOSEPH RICHMOND held the funds in trust, deposited these checks bearing forged endorsements on the back into bank accounts at CoreStates Bank and Commerce Bank, and fraudulently withdrew money from these accounts based on the stolen checks.

4. On or about the dates listed below, defendant DONALD JOSEPH RICHMOND deposited, and caused to be deposited, into CoreStates Bank account 0020598871, and Commerce Bank accounts numbered 361058811 and 0361446552, the following checks, which

checks had been fraudulently endorsed and from which checks DONALD JOSEPH RICHMOND had no right to receive and retain these funds:

<u>Count</u>	<u>Deposit Date</u>	<u>Check Number</u>	<u>Check Amount</u>	<u>Bank of Deposit</u>	<u>Payee</u>
4	6/21/96	1391	\$4,500.00	CoreStates Bank	J.P.
5	8/13/96	1510	\$3,500.00	CoreStates Bank	J.I.
6	1/16/98	1565	\$3,878.00	CoreStates Bank	J.P.
7	3/20/98	1574	\$1,875.00	CoreStates Bank	J.P.
8	8/8/98	1589	\$3,500.00	CoreStates Bank	J.P.
9	11/14/00	09592704	\$100,000.00	Commerce Bank	J.P.
10	11/14/00	09592715	\$85,000.00	Commerce Bank	J.I.

5. After depositing the checks, defendant DONALD JOSEPH RICHMOND withheld payments from his clients, which payments were lawfully due and owing to J.I. and J.P., and withdrew funds on deposit with CoreStates Bank and Commerce Bank from the fraudulently converted, stolen checks identified above.

All in violation of Title 18, United States Code, Section 1344.

## **NOTICE OF FORFEITURE**

1. As a result of the violations of Title 18, United States Code, Section 1344, set forth in Counts 1 through 10 of this Information, the defendant

DONALD JOSEPH RICHMOND

shall forfeit to the United States of America any property constituting, or derived from, proceeds obtained directly or indirectly as the result of the violations of Title 18, United States Code, Section 1344, as charged in this Information, including, but not limited to, the sum of \$310,753.00 and;

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to

the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

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PATRICK L. MEEHAN  
United States Attorney